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1976 U.S. PTO

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Art Unit: UNKNOWN
Rakib et al)
Serial No. Unknown) Examiner: UNKNOWN
Filed: 12/12/00)
) Docket No: TER-002.3P D3

jc914 U.S. PRO
09/737678
12/13/00

12/13/00

For: APPARATUS AND METHOD FOR SCDMA DIGITAL DATA TRANSMISSION USING ORTHOGONAL
CODES AND HEAD END MODEM WITH NO TRACKING LOOPS

Box Patent Application
Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

**DIVISIONAL APPLICATION
TRANSMITTAL LETTER
37 C.F.R. §1.53(b)**

Sir:

Enclosed for filing pursuant to 37 C.F.R. §1.53(b) please find the patent application for an invention having title **APPARATUS AND METHOD FOR SCDMA DIGITAL DATA TRANSMISSION USING ORTHOGONAL CODES AND A HEAD END MODEM WITH NO TRACKING LOOPS**, filed on behalf of **TERAYON COMMUNICATION SYSTEMS**, assignee for inventors **Selim Shlomo Rakib, Yehuda Azenkot** including 230 pages of specification, and (after the enclosed preliminary amendment is entered) 8 independent claims and 61 total claims, and 59 sheets of drawing figures. The attorney's Docket Number on this divisional application is:TER-002.3P D3. The present application is a DIVISIONAL of the parent U.S. Patent Application Serial No. **08/895,612**, filing date 7/16/97 which was a complete application and not a provisional application. The application papers filed herewith are a true and correct copy of the prior parent application. Also enclosed is a true and correct copy of the declaration or oath from the parent application showing the signature of the inventor(s) and a true copy of any preliminary amendments or other amendments made to complete the parent case. The inventors in the present case are the same or less than the inventors named in the parent case, and this application is filed before the patenting, abandonment or termination of proceedings in the parent case.

CONTINUING DATA AMENDMENT TO SPECIFICATION

Please amend page 1, lines 8 -20 of the enclosed continuation application by deleting the

following,

"This application is a continuation-in-part application of U.S. patent application Serial No. 08/684,243, filed July 19, 1996, invented by Shlomo Rakib and Yehuda Azenkot which was a continuation-in-part application of U.S. patent application Serial No. 08/588,650, filed January 19, 1996, invented by Shlomo Rakib and Yehuda Azenkot, which was a continuation-in-part application of U.S. patent application Serial No. 08/519,630, filed Aug. 25, 1995, invented by Shlomo Rakib and Yehuda Azenkot, now U.S. Patent No. _____, issued _____, the contents of all of which are hereby incorporated by reference. This application is also a continuation-in-part application of a U.S. patent application entitled LOWER OVERHEAD METHOD FOR DATA TRANSMISSION USING ATM AND SCDMA OVER HYBRID FIBER COAX CABLE PLANT, Serial No. 08/760,412, filed December 4, 1996, invented by Amir Fuhrmann, Shlomo Rakib and Yehuda Azenkot, now co-pending, the entirety of which is hereby incorporated by reference."

and by substituting the following

--This application is a continuation-in-part application of U.S. patent application **Serial No. 08/895,612, filed July 16, 1997** (now copending), invented by Selim Shlomo Rakib and Yehuda Azenkot, which was a continuation-in-part of U.S. Patent Application **Serial Number 08/684,243, filed July 19, 1996** (currently copending), invented by Selim Shlomo Rakib and Yehuda Azenkot which was a continuation-in-part application of U.S. patent application **Serial No. 08/588,650, filed January 19, 1996** (now U.S. Patent 5,793,759), invented by Selim Shlomo Rakib and Yehuda Azenkot the contents of all of which are hereby incorporated by reference. This application is also a continuation-in-part application of a U.S. patent application entitled LOWER OVERHEAD METHOD FOR DATA TRANSMISSION USING ATM AND SCDMA OVER HYBRID FIBER COAX CABLE PLANT, **Serial No. 08/760,412, filed December 4, 1996** (now U.S. Patent 5,991,308), invented by Amir Fuhrmann, Selim Shlomo Rakib and Yehuda Azenkot, the entirety of which is hereby incorporated by reference.--.

Kindly address all communications regarding this application to:

Ronald Craig Fish
FALK, VESTAL & FISH
P.O. Box 2258
Morgan Hill, California 95038
Ph (408) 778-3624
FAX (408) 776-0426

A check in the amount of \$XXX.00 is enclosed for the filing fee for assignee as a Large Entity, calculated as follows (**Please Enter the enclosed preliminary amendment before calculating the filing fee**):

Basic Filing Fee:	\$710.00
Extra Independent Claims Fees based upon	
8 independent claims in the preliminary amendment new claims:	\$400.00
41 claims in Excess of 20 Total Claims:	\$738.00
Total Amount Enclosed	<u>\$ 1848</u>

A Verified Statement Claiming Small Entity Status was filed in the parent case, and the assignee is **no longer** entitled to Small Entity Status.

A preliminary amendment directed to the enclosed divisional application under 37 CFR 1.53(b) cancelling all original claims and adding 61 new claims is enclosed herewith.

The Commissioner is authorized to charge any additional fees necessary at any time to keep this case from becoming abandoned to Deposit Account No. 06-0932 or to credit any overpayment to Deposit Account No. 06-0932.

A Return Receipt Postcard is enclosed.

Respectfully submitted,



Ronald Craig Fish
Reg. No. 28,843

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed: Commissioner of Patents and Trademarks, Washington D.C. 20231 on (Date Of Deposit) 12/12/00
Express Mail Receipt Number: EL 656 067 248 WS



Ronald Craig Fish, President
Ronald Craig Fish a Law Corporation
Reg. No. 28,843